

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

22278 U.S. PTO
10/728651
120503

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of Sheldon R. Chesky for Bituminous Substance Removal Compositions.

CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being deposited with the U.S. Postal Service on this date December 5, 2003 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EL 992 783 782 US addressed to: Box Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Jennifer B. Kistner

1. **Type Of Application**
This new application is for a(n)
☒ Original (nonprovisional)
☐ Continuation.
2. **Benefit Of Prior U.S. Application(s)** (35 U.S.C. §§ 119(e), 120, or 121)
☒ The new application being transmitted claims the benefit of prior U.S. application(s) and enclosed are **ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.**
3. **Papers Enclosed That Are Required For Filing Date Under 37 C.F.R. § 1.53(b) (Regular) or 37 C.F.R. § 1.153 (Design) Application**
11 Pages of Specification
3 Pages of Claims
1 Page of Abstract
1 Sheets of Formal Drawings
4. **Additional Papers Enclosed**
☒ Preliminary Amendment
5. **Declaration**
☒ Enclosed
☒ Executed by inventor from parent application.
6. **Inventorship Statement**
The inventorship for all the claims in this application is:
☒ the same
7. **Language**
☒ English
8. **Fee Calculation (37 C.F.R. § 1.16)**
☒ Regular application

CLAIMS AS FILED

Number Filed	Number Extra	Rate	Basic Fee - \$770.00 (37 C.F.R. § 1.16(a))
Total Claims (37 C.F.R. § 1.16(c))	8 - 20 =	0 × \$18.00 =	\$0.00
Independent Claims (37 C.F.R. § 1.16(b))	3 - 3 =	0 × \$86.00 =	\$0.00
Multiple Dependent Claim(s), if any (37 C.F.R. § 1.16(d))	+ \$290.00 =		\$0.00
Filing Fee Calculation			\$770.00

9. Small Entity Statement(s)

☒ Verified Statement(s) that this is a filing by a small entity under 37 C.F.R. §§ 1.9 and 1.27.

Filing Fee Calculation (50% of above) \$385.00

10. Fee Payment Being Made At This Time

☒ Enclosed

☒ basic filing fee

\$385.00

Total Fees Enclosed

\$385.00

11. Method of Payment of Fees

☒ Check in the amount of \$385.00

12. Authorization To Charge Additional Fees and Credit Overpayment

☒ The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No.: 08-1290. An originally executed duplicate of this transmittal is enclosed for this purpose.

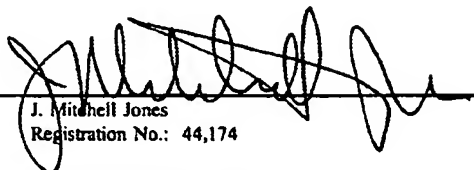
13. Power of Attorney by Assignee

☒ Enclosed (unexecuted)

14. Return Receipt Postcard

☒ Enclosed

Dated: December 5, 2003


J. Mitchell Jones
Registration No.: 44,174

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San Francisco, California 94105
608/218-6900

☒ Incorporation By Reference Of Added Pages

☒ Plus Added Pages For New Application Transmittal Where Benefit Of Prior U.S. Application(s)
Claimed

Number of pages added 1

ADDED PAGES FOR APPLICATION TRANSMITTAL
WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED

15. Relate Back

A. 35 U.S.C. § 119(e)

B. 35 U.S.C. §§ 120, 121 and 365(c)

☒ Amend the Specification by inserting before the first line the sentence: "This is a continuation of copending application Serial No. 10/375,956 filed on 02/28/03, which is a continuation of 09/825,371, filed 4/3/01, which is continuation of copending application(s) 09/624,745 filed on 07/25/00 which issued as U.S. Patent No. 6,211,133 on 04/03/01."

16. Maintenance Of Copendency Of Prior Application

☒ Extension of time in prior application

☒ A petition, fee and response extends the term in the pending prior application until December 5, 2003.

☒ A copy of the petition filed in prior application is attached.

17. Further Inventorship Statement Where Benefit Of Prior Application(s) Claimed

a. This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above and the inventor(s) in this application are

☒ the same.

18. Notification In Parent Application Of This Filing

☒ A notification of the filing of this

☒ continuation

is being filed in the parent application from which this application claims priority under 35 U.S.C. § 120.